



Santa Ana Watershed Project Authority

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GOVERNMENT BY HARVARD'S KENNEDY SCHOOL



September 30, 2011

Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Terry Catlin
Commission
Chair

Re: Comments on the Fifth Draft Delta Plan

Dear Chair Isenberg and Members of the Council:

Celeste Cantú
General
Manager

On behalf of the Santa Ana Watershed Project Authority, I am writing to express concern with the draft Delta Plan. Though each draft of the Plan has shown improvement, the fifth draft is still not adequate to achieve the co-equal goals of improved water supply reliability and Delta ecosystem health.

Eastern
Municipal
Water
District

SAWPA is a joint powers authority whose member agencies include five large water districts in the Santa Ana River Watershed. SAWPA and its members are constantly working to ensure the availability of sufficient water at the appropriate quality to meet all of our ratepayers' needs at all times. We are therefore keenly interested in the progress of the Delta Plan and the progress of a Delta solution.

Inland
Empire
Utilities
Agency

SAWPA agrees with many of the concerns raised by the Ag-Urban Coalition and other commentators, that the Delta Plan should focus on integrating existing efforts and authorities—including the Bay Delta Conservation Plan—rather than creating a new regulatory regime, that the Plan needs to create a more definite path forward both for water supply and environmental restoration in the Delta, and that the Plan should not be focused on remote management decisions that should be made locally.

Orange
County
Water
District

San
Bernardino
Valley
Municipal
Water
District

We are particularly concerned that the draft Plan appears to avoid resolving the predictability of water supply through the Delta. Prior drafts have put more emphasis on ecological goals than on water supply, rather than treating them as co-equal goals, and the Fifth Draft does not completely rectify this situation. This is illustrated most obviously in the overarching theme of the current draft that water supplies from the Delta cannot be made more certain, but should certainly be expected to decrease over time. One specific manifestation of this idea is the suggestion that ecological flows will have to be set as a regulatory matter before further supply or supply reliability measures can be addressed. As I noted in SAWPA's comments on the Fourth Draft, this "flows first" approach is not consistent with the idea of co-equal goals.

Western
Municipal
Water District

In addition, the "flows first" approach puts too much responsibility for managing environmental effects on diversions, rather than recognizing the scientifically accepted reality that many other stressors have profound effects on the Delta as an ecosystem.

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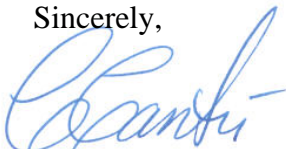
These include food web alteration associated with nitrogen discharges, predation by non-native species, and hydro-modification resulting from land use practices in the Delta. While the draft Plan includes recommendations to further study these other stressors, it does not recognize as a matter of science or policy that addressing the other stressors could affect the necessary flows for ecological health in the Delta.

In contrast to the draft plan's failure to address water supply reliability through the Delta, the plan is quite detailed about local water supply actions that should be taken. The draft plan would require the development of Water Supply Reliability Elements in Urban Water Management Plans that would detail how water suppliers will sustain and improve regional self-reliance and reduce reliance on the Delta. A sufficient plan would have to address how specific programs and projects would be implemented over a 20-year planning period to improve conservation, efficiency, and regional water supply development. Sound regional planning is laudable, and SAWPA has been a leader in that field and expects to exceed the requirements of the proposed plan. However, as discussed in SAWPA's previous comment letter, most major Southern California water agencies, including SAWPA's members, currently have no choice but to continue to invest significant public funds in water supply from the Delta. It would therefore be appropriate and very desirable for the Delta Plan to suggest ways that the State could promote the fulfillment of its goal of reducing reliance on the Delta by alleviating the burden of water users of paying both for Delta supplies and alternative supplies.

Another specific concern is the approach the Plan takes to economic development in the Delta. The Council has taken the view, based on statutory language about protecting the Delta as an evolving place, that protecting the Delta is essentially a third co-equal goal. Moreover, the Plan goes further and casts this as ensuring the economic development of the Delta region. Such a goal seems to surpass the legal duty and authority of the Council, and certainly implies economic obligations for the rest of California that may be unrelated to the co-equal goals and inconsistent with both the "beneficiary pays" concept and the appropriate level of local control. SAWPA urges great caution and circumspection in this regard.

Thank you for the opportunity to present comments.

Sincerely,



Celeste Cantú
General Manager

CC:LM:pb

k/common/Legal/Correspondence/Delta5 Comments Ltr 9-30-11